

Michael Patrick Siano, Beneficiary  
102 Haines Street East  
Lanoka Harbor, New Jersey  
(732) 788-0772

**FILED**  
JEANNE A. NAUGHTON, CLERK

MAR 20 2023

U.S. BANKRUPTCY COURT  
TRENTON, NJ  
BY  DEPUTY

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE:	)	Case No. 22-17381
Michael P. Siano Estate	)	FBI Case # 329FAT2175733
v.	)	Chapter 7
	)	OBJECTION TO ORDER
M&T BANK	)	GRANTING RELEIF FROM
	)	AUTOMATIC STAY ORAL
	)	ARGUMENT DEMANDED

**Now Comes** Michael Patrick Siano Beneficiary, living heir of the Michael P. Siano Estate strongly objecting to the motion set forth by claimant M&T BANK to lift the automatic Stay and proceed in collections activity against the Siano Estate to include the order granting the motion by the Judge. First and foremost, the court is looking at Michael Patrick Siano as if he is the debtor and only the debtor. The ens legis MICHAEL P. SIANO is Trust res of the MICHAEL PATRICK SIANO TRUST which has been placed with the bankruptcy clerks office for special deposit into this matter and is trademark private intellectual property of the TRUST which this court is allowing to be used for profit and for the theft of the TRUSTS property.

*The trustee(s) of an express trust are protected under the Constitution as "citizens" throughout the continental United States. The trustee(s) under a will or declaration of an Express Trust are natural persons, "citizens" within the meaning of Article IV, Section 2 of the Constitution, and therefore entitled to all the "privileges and immunities" of same. Paul v. Virginia, 75 U.S. 168. Even though in todays economic situation the term "citizen" is presumed to signify the 14<sup>th</sup> Amendment citizen, the term cannot be applied to the Express Trust which is specifically created under common law, The trust is a natural person because of how and by whom it was created. Pacific R. Co., 118 U.S. 394.*

It is the Right-Wise stance of the Supreme Court that the trust relationship comes under the realm of equity, based upon the common-law right of contract, and is not subject to legislative restrictions as are corporations and other organizations created through legislative authority. To clarify the equity and common-law distinctions, the basis for Express Trusts under the common-law, is not that such organizations are creatures of common-law, as distinguished from equity, but that they are created under the common law of contracts and do not depend upon any statute. See Lee Brost et al., The Republic Is The House No One Lives In. Elliot v. Freeman, 220 U.S. 178. The person who creates a trust may mold it into whatever form he pleases. See Hale v. Henkel, 201 U.S. 43, 74.

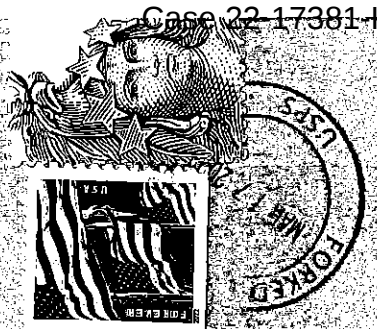
Michael Patrick Siano has ownership rights over two separate properties, that being the actual property of 102 Haines Street East in Lanoka Harbor New Jersey, and the Note that was lent to the bank at the closing table. The Note is mine utilizing my private intellectual property to make millions of dollars by being securitized and traded on Wall Street without my knowledge or permission. It seems this Court has not been properly informed that the note and property are separate pieces of my property, as I have reflected by adding my note to my list of assets with the CUSIP number and which fund it is being traded in. If the bank wants my property so badly then they must give up the value of the note and the proceeds to me, they can not have both and I will not let them have both. It is appearing as if this Court is causing/ attempting to cause harm to me the beneficiary. I would like to remind the Court that there are serious consequences for causing harm to the beneficiary, is this Court willing to accept that liability?

**The appointed Chapter 7 Trustee Miss Nancy Isaacson is hereby fired and must recuse herself for violating her fiduciary duty to myself as well as the estate and not protecting all the creditors. It appears as if she is biased and is only concerned about protecting the interest of the bank of which whom is in violation of numerous federal statutes and IRS tax code along with trademark infringement by the attempted theft of the Trusts property. Should this Court continue to move forward it is trespassing and committing identity theft. This is a warning of possible trademark infringement.**

**This is not a state court matter and the Rooker- Feldman Doctrine does not apply in this instant case because this is a case of mortgage identity theft and more importantly I am not attempting to attack a prior judgment from the lower court and it is this Courts duty to apply the credit from the Estates assets to settle and close these public obligations and to close this taxable matter for accord and satisfaction. When there is a conflict of interest between law and equity, equity must always prevail.**

3/8/2023

/s/ Michael Patrick Siano



RECEIVED

ATTN CLERK\*

U.S.B.C.

404 East State Street

Trenton, NJ, 08608

Michael Patrick Siano  
102 Haines Street East  
Little Harbor, New Jersey 08734